

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SHANT'E K. SNIPES,)	
)	
Plaintiff,)	
)	
v.)	1:12CV311
)	
STATE OF NORTH CAROLINA,)	
)	
Defendant(s).)	

O-R-D-E-R

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on April 12, 2012, was served on the parties in this action. No objections were filed within the time limits prescribed by § 636.

The Court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is construed as a habeas petition under 28 U.S.C. § 2241 and dismissed *sua sponte* without prejudice to Petitioner filing a new petition which corrects the defects of the current Petition. The new petition must be accompanied by either the five dollar filing fee or a current application to proceed *in forma pauperis*. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 21st day of May, 2012.


UNITED STATES DISTRICT JUDGE